<u>REMARKS</u>

Claims 1-21 are currently pending in the subject application and are presently under consideration. Claims 1, 5 and 13 have been amended as shown on pages 2-6 of the Reply. Claim 21 has been newly added to emphasize various features of applicants' invention. Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

I.   **Rejection of Claims 5-12 Under 35 U.S.C 101**

Claims 5-12 stand rejected under 35 U.S.C §101 as being directed to non-statutory subject matter. Withdrawal of this rejection is requested in view of the amendments made herein to claims 5, 8, 9 and 10 that further emphasize various features of applicants' invention.

II.   **Rejection of Claims 1-4 Under 35 U.S.C. §103(a)**

Claims 1-4 stand rejected under 35 U.S.C. §103(a) as being anticipated by Olsen (US 2004/014862) in view of Hohmann *et al.* (US 2005/0256965) and Fuh *et al.* (US 2004/0073870). Withdrawal of this rejection is respectfully requested for at least the following reasons. The cited references, either alone or in combination, fail to teach or suggest each and every limitation set forth in the subject claims.

> To reject claims in an application under §103, an examiner must establish a *prima facie* case of obviousness. A *prima facie* case of obviousness is established by a showing of three basic criteria. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second there must be a reasonable expectation of success. *Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations.* See MPEP §706.02(j). The teaching or suggestion to make the claimed combination and the reasonable expectation of success must be found in the prior art and not based on the Applicant's disclosure. *See In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991) (emphasis added).

The claimed invention relates to systems and methods for annotating an XML schema to describe a non-XML data stream containing input data to create an XML instance. In particular, amended independent claim 1 recites *a method of annotating an XML schema to provide information on how to parse a non-XML data stream containing delimiting portions and content portions to create an XML instance from the non-XML data stream, the method **comprising including delimitation nodes within said XML schema that define delimiting characteristics of said non-XML data stream, where the delimitation nodes are child nodes in the XML schema, where instances of the content nodes in the XML instance are intended to contain the content portions of the non-XML data stream that are delineated by the delimiting portions of the non-XML data stream, the delimiting portions identifiable by the delimiting characteristics of the delimitation nodes, receiving said non-XML data stream, parsing said non-XML data in accordance with information contained in said delimitation nodes of the XML schema by matching the delimiting portion of the non-XML data stream with the delimitation nodes to identify the content portions of the non-XML data stream, and generating the instances of the content nodes containing the identified content portions of the non-XML data stream, where instances of content nodes contain respective content portions identified by delimitation nodes of the corresponding content nodes in the XML schema, and creating said XML instance by adding the generated content nodes to the XML instance, where the delimiting portions matched to the delimitation nodes are not included in the XML instance.* Olsen, Hohmann *et al.* and Fuh *et al.* either alone or in combination, fail to teach or suggest each and every limitation set forth in the subject claims.

Olsen relates to a system for generating an application programming interface comprising parsing a schema defining a description language data structure, automatically creating an accessible data structure reflecting all relationships depicted in the parsed schema and automatically generating code for at least one function based on the parsed schema. Hohmann *et al.* relates to an intellectual asset protocol system that acts as an engine in the definition of data exchange rules and formats for universal intellectual asset documents. An IP asset manager can extract information from XML and non-XML documents. Fuh *et al.* relates to a system for Extensible Markup Language schema validation. An XML schema is compiled into an annotated automation encoding format and stored. The cited references are all silent regarding the aforementioned features recited in amended independent claim 1. Accordingly, it is

requested that this rejection with respect to independent claim 1(and the claims that depend therefrom) be withdrawn.

III.   Rejection of Claims 13-20 Under 35 U.S.C. §103(a)

Claims 13-20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Fuh *et al.* Withdrawal of this rejection is respectfully requested for at least the following reasons. Fuh *et al.* fails to teach or suggest each and every limitation set forth in the subject claims.

The subject claims relate to systems and methods for annotating an XML schema to describe a non-XML data stream containing input data to create an XML instance. In particular, amended independent claim 13 recites *a method of providing schema editor extensions to a schema editor, comprising providing assemblies containing implementation to extend a functionality of said schema editor, referencing definitions of interfaces for exposing extended functionalities to said schema editor, and adding custom properties to elements and attributes in the schema, the custom properties allow the editor to define characteristics of non-XML data within XSD schemas in a standard fashion.* Fuh *et al.* does not teach or suggest such novel features of the claimed invention.

Fuh *et al.* relates to a system for Extensible Markup Language schema validations. At page 6 of the Final Office Action, the Examiner concedes that Fuh *et al.* does not teach a schema editor. The cited reference is also silent regarding *adding custom properties to elements and attributes in the schema, the custom properties allow the editor to define characteristics of non-XML data within XSD schemas in a standard fashion* as recited by amended independent claim 13 of applicant's subject invention. Accordingly, it is requested that this rejection with respect to independent claim 13 (and the claims that depend therefrom) be withdrawn.

CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063.

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicant's undersigned representative at the telephone number below.
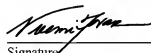

Respectfully submitted,

Microsoft Corporation

Date: _January 15, 2007_   By:___/James T. Strom/_____

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